UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

UNITED STATES OF AMERICA

v. **CRIMINAL ACTION NO. 2:03-00008**

HELEN SLATER

PROBATION REVOCATION AND JUDGMENT ORDER
MEMORANDUM OPINION AND ORDER

On January 24, 2006, the United States of America appeared by John J. Frail, Assistant United States Attorney, and the defendant, Helen Slater, appeared in person and by her counsel, John R. Mitchell, Jr., for a hearing on the petition on revocation of probation submitted by Senior United States Probation Officer John B. Edgar, the defendant having commenced a three-year term of probation in this action on August 11, 2003, as more fully set forth in the Judgment Including Sentence Under the Sentencing Reform Act entered by the court on August 12, 2003.

The court heard the admissions of the defendant and the representations and argument of counsel.

For reasons noted on the record of this proceeding, which are ORDERED incorporated herein by reference, the court found that the defendant has violated the conditions of supervised release in the following respect: that the defendant committed the federal offense of distribution of methamphetamine inasmuch as on November 15, 2005, the defendant made a sale of methamphetamine of approximately 2 grams for the sum of $100 to a confidential informant working with the Metropolitan Drug Enforcement Network Team in Charleston, West Virginia, as admitted by the defendant on the record of the hearing and as set forth in the petition on supervised release.

And the court finding, as more fully set forth on the record of the hearing, that the violation warrants revocation of supervised release and, further, that it would unduly depreciate the seriousness of the violation if supervised release were not revoked, it is ORDERED that the supervised release previously imposed upon the defendant in this action be, and it hereby is, revoked.

And the court having complied with the requirements of Rule 32(a)(1)(B) and (C) of the Federal Rules of Criminal Procedure, and finding, on the basis of the original offense and the

intervening conduct of the defendant, that the defendant is in need of correctional treatment which can most effectively be provided if she is confined, it is accordingly ORDERED that the defendant be, and she hereby is, committed to the custody of the United States Bureau of Prisons for imprisonment for a period of SIX (6) MONTHS to be followed by a term of THIRTY-SIX (36) MONTHS supervised release, upon the sixteen standard conditions of supervised release in effect in this district and the further condition that the defendant not commit another federal, state or local crime and the special condition that she, once released from imprisonment, be placed on home confinement for a period of SIX (6) MONTHS, to be monitored electronically, during which time the defendant shall remain continuously at her residence except for the following approved absences: (a) lawful, gainful employment; (b) medical emergency for her or her husband; and (c) any other purpose which has the prior approval of the probation officer. The defendant shall pay the costs of the electronic monitoring.

It is further ORDERED that, with respect to defendant's six-month term of imprisonment, she shall receive credit for time

served while in custody awaiting hearing and sentencing from November 18, 2005, to January 24, 2006.

The defendant was remanded to the custody of the United States Marshal.

Recommendation: The court recommends that the defendant be designated to a federal institution, preferably FCI Alderson.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: February 16, 2006

John T. Copenhaver, Jr.
United States District Judge